



CITY OF ROLLINGWOOD
403 NIXON DRIVE, ROLLINGWOOD, TEXAS 78746

CITY COUNCIL REGULAR MEETING
Wednesday, February 15, 2017

MINUTES

The City Council of the City of Rollingwood, Texas met in a Regular Meeting on Wednesday, February 15, 2017 in the City Council Chambers of the Rollingwood Municipal Building located at 403 Nixon Drive, Rollingwood, Texas. Mayor Roxanne McKee called the meeting to order at 7:18 p.m.

Present were:

Mayor Roxanne McKee, Mayor Pro Tem Sara Hutson, Alderman Joe Basham,
Alderman Bobby Dillard, Alderman Gavin Massingill,
City Secretary Robyn Ryan, Public Works Director Jackie Bob Wright,
Chief of Police Dayne Pryor, and City Attorney Doug Young

Alderman Michael Dyson gave advanced notice that he would not attend the meeting.

2. CITIZEN COMMENTS - ITEMS NOT ON THE AGENDA

Resident Alex Robinette brought up the topic of exterior lighting in the City, in-particular recent issues at the Shell Service Station. She asked for language in an ordinance for future construction, and possibly some language for neighbors to use in lighting situations in their areas of the City.

3. CONSENT AGENDA

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SPECIAL CALLED CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 27, 2016.

Mayor Pro Tem Hutson moved to approve the January 30, 2017 minutes, Alderman Basham seconded. Mayor Pro Tem Hutson asked that a sentence in the first paragraph be deleted as it did not “add” to what was said and if removed it would be less confusing. Ms. Hutson identified the exact sentence and the City Secretary would make the correction. The motion was re-stated by Mayor Pro Tem Hutson and re-seconded by Alderman Basham; the motion passed 3 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE REGULAR CITY COUNCIL MEETING MINUTES FROM JANUARY 18, 2017.

Mayor Pro Tem Hutson moved to approve the January 18, 2017 minutes, Alderman Basham seconded; the motion passed 3 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SPECIAL CALLED CITY COUNCIL MEETING MINUTES FROM JANUARY 30, 2017.

Mayor Pro Tem Hutson moved to approve the January 30, 2017 minutes, Alderman Dillard seconded; the motion passed 3 to 0.

4. REQUESTS FOR SPECIAL EVENT PERMITS

DISCUSSION AND POSSIBLE ACTION TO APPROVE A ROUTE AND CLOSE ONE OR MORE PUBLIC STREETS FOR THE ROLLINGWOOD WOMEN'S CLUB "LIFE IS GOOD IN THE WOOD" 5K RUN AND CONCURRENT USE OF A PORTION OF THE PARK AND PARK PAVILION FOR RELATED ACTIVITIES TO BE CONDUCTED ON APRIL 28, 2017 - ROLLINGWOOD WOMEN'S CLUB CO-CHAIRS OMAIRA BRIGHTMAN AND TOMOKO HALL. Roseann Ferraro, Rollingwood Women's Club Special Events Chair addressed the council regarding the 5K Fun Run, route, and events after the run at the Rollingwood Park. Alderman Basham moved to approve the 5K events as stated, Alderman Dillard Seconded; the motion passed 3 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A PARADE ROUTE AND CLOSE ONE OR MORE PUBLIC STREETS FOR THE FOURTH OF JULY CELEBRATION CONDUCTED BY THE ROLLINGWOOD WOMEN'S CLUB AND CONCURRENT USE OF A PORTION OF THE PARK FOR RELATED ACTIVITIES TO BE CONDUCTED ON JULY 4, 2017 FROM 9:00 AM TO NOON. - ROLLINGWOOD WOMEN'S CLUB SPECIAL EVENTS CHAIR ROSEANN FERRARO.

Roseann Ferraro addressed the council regarding the Fourth of July Parade Festivities and route: Riley to Rollingwood Drive, to Ridgewood Road, down Pickwick, ending at the Park. Alderman Basham moved to approve as stated, Alderman Dillard seconded; the motion passed 3 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE USE OF A PORTION OF THE LOWER ROLLINGWOOD PARK BY THE ROLLINGWOOD NEIGHBORHOOD ASSOCIATION FOR THE EGGSTRAVAGANZA EVENT ON APRIL 15, 2017 FROM 8:00 AM TO 10:30 AM - RNA PRESIDENT - JAIME MEDINA.

Rollingwood Women's Club President Jaime Medina presented the Eggstravaganza event information to the council; 5,000 eggs, Easter Bunny, and other events in the Park. Alderman Dillard moved to approve as stated, Mayor Pro Tem Hutson seconded; the motion passed 3 to 0.

5. CITY ENGINEER REPORT

CITY ENGINEER: LNV, Inc., Report - January 2017.

Marcus Naiser of LNV, Inc. presented the report to the council. A copy of the report was in the packet.

--For the record of the meeting, Alderman Gavin Massingill arrived at 7:42 pm.

The following four items were brought forward in the meeting schedule: 9.10, 9.01, 9.02 and 9.05

DISCUSSION AND POSSIBLE ACTION TO SCHEDULE A SPECIAL CALLED CITY COUNCIL MEETING TO REVIEW THE BIDS AND TO AWARD A CONTRACT FOR THE OAK WILT STREET TRENCHING PROJECT.

Alderman Basham moved to approve Wednesday, February 22, 2017 at 8:00 a.m. for a Special Called City Council meeting, Alderman Dillard seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE EXPENDITURE ASSOCIATED WITH THE CLEAN OUT OF THE STORMWATER EVAPORATION TANK AT THE 4800 BLOCK OF ROLLINGWOOD DRIVE.

Alderman Basham moved to approve the clean out of the stormwater evaporation tank, at a cost up to \$4,000, Alderman Dillard seconded. There was a brief discussion with questions regarding the tank clean out. Mayor McKee called for a vote; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY EXPLORING POTENTIAL LEGISLATIVE OPTIONS TO SEEK AN EXEMPTION FROM TCEQ WATER QUALITY RULES.

Alderman Massingill said he had discussed the subject with David Smith, and said it was not an “easy fix”. This comes down from the Federal Government, and was not easily changed by a State statute. He suggesting a meeting with TCEQ, to see what could be done. There was no action on the item.

DISCUSSION AND POSSIBLE ACTION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF WEST LAKE HILLS REGARDING THE STRIPING OF RIDGEWOOD ROAD FROM ROLLINGWOOD DRIVE THRU 501 RIDGEWOOD ROAD.

Mayor McKee briefed the council on the possible striping project, and she had been in touch with the City of West Lake Hills regarding getting together with Rollingwood on this striping project. The Mayor had no numbers on the striping to show the council, would bring the information to the March meeting.

6. REPORTS AND INFORMATION

The following reports are available to the public at the City's administrative offices and posted to the City's website. Discussion may occur as to any matter included in such reports.

MAYOR'S REPORT - January 2017 – Mayor McKee stated she would give her reports and updates on various items throughout the meeting.

CITY ADMINISTRATOR - City Activity Report, no report was presented or in the packet.

CITY SECRETARY - Administrative Activity report, there were no questions or comments.

PUBLIC WORKS DIRECTOR - Department Activity report; there was a question regarding the wastewater issue and water leak on the same day. Both events occurred on February 10, 2017.

CHIEF OF POLICE - Activity and Service Calls report; there were no comments.

MUNICIPAL COURT – Activity report; All January 2017 reports were included in the council packet.

CITY BUILDING OFFICIAL - Professional Design Group - Mike Alexander Report, With Building Permit Listing.

Mike Alexander addressed the council. He said a significant piece of information was Endeavor would be starting up Phase III in mid-March. He added that the civil engineer, the project architect, and fire marshal had been involved on the site recently. There were other council member comments and discussion on development of a construction fence ordinance.

CITY STATS, CITY FINANCIALS, AND RCDC FINANCIALS for January 2017 were included in the council packet.

INVOICES through January 2017 - LNV Inc., City Engineer, Professional Design Group, Building Official, Scanlan, Buckle & Young, City Attorney, and AWR Services, Inc., Water, and Wastewater Services; all were included in the council packet, there were no comments.

AWR SERVICES - Water and Wastewater Report for January 2017, a copy was included in the council packet. The Top Ten Water Users list was included in the council packet.

Texas Gas Service information and Texas Central Appraisal District and Tax Assessor letters and documents were included in the packet.

7. BOARDS AND COMMISSIONS

DISCUSSION AND POSSIBLE ACTION TO MAKE APPOINTMENT(S) TO BOARDS AND COMMISSIONS. There were no applications for council review.

PLANNING AND ZONING REPORT - Met on February 2, 2017.

Mayor McKee said the Planning and Zoning Commission had been looking at development of a lighting ordinance. The Commission decided to develop a flyer that would be sent to the residents. This would be addressed at the March Planning and Zoning Meeting. A draft landscape ordinance was discussed and would be developed by Mike Alexander and City Attorney Doug Young, it would be considered at the March Planning and Zoning meeting. Composting receptacles were addressed, but more information was needed and the item was tabled.

UTILITY COMMISSION REPORT - No February meeting was held. There were no other comments.

PARK COMMISSION REPORT - Met on February 13, 2017. Park Commission Chair Toni Hudson addressed the council on It's My Park Day coming up on March 4, 2017, and it would be held on the first Saturday of March and the first Saturday of November. They had funds left over from the sponsors to pay for the banners they were requesting. She also asked for council member participation at the event.

DISCUSSION AND POSSIBLE ACTION REGARDING "IT'S MY PARK DAY" ON MARCH 4, 2017 AT THE LOWER ROLLINGWOOD PARK, 10:00 AM TO 2:00 PM.

Alderman Basham moved to approve "It's My Park Day: on March 4, 2017, Alderman Dillard seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO APPROVE AN EXPENDITURE FOR BANNER(S) FOR "IT'S MY PARK DAY".

Alderman Dillard moved to approve the banner(s) requested, Alderman Massingill seconded; the motion passed 4 to 0.

ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION REPORT - Meeting Scheduled February 16, 2017. There was no RCDC meeting scheduled and there was no report or comments.

8. OLD BUSINESS

UPDATE OF EVENTS AND DISCUSSION AND POSSIBLE ACTION TO REQUEST A MEETING WITH, AND/OR TO PROVIDE INFORMATION OR A STATEMENT OF POSITION OF THE CITY TO RELEVANT STATE AND LOCAL OFFICIALS IN CONNECTION WITH THE PROPOSED SOUTH MOPAC EXPANSION.

The agenda item was **Tabled**, there was no discussion.

DISCUSSION AND POSSIBLE ACTION TO AMEND AND CLARIFY A SPECIAL USE PERMIT FOR OPERATION OF A CLINIC BY NEUROTECH DIAGNOSTICS, LLC IN THE PREMISES OF 2712 BEE CAVES ROAD, SUITE 102 - JOSHUA ARTERBURY, REPRESENTATIVE.

City Attorney Young clarified the reason for this item to be discussed again and the special circumstances regarding the agenda item. There was a discussion among the council.

Alderman Basham moved to approve the amendment to the Special Use Permit allowing Neurotech Diagnostics, LLC to have 2 overnight patients, Alderman Massingill seconded. The motion passed with 3 voting YES to the motion and 1 NO vote by Alderman Dillard.

9. NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION TO APPOINT A ROLLINGWOOD MUNICIPAL COURT JUDGE.

Alderman Basham moved to appoint Robby Chapman as the Rollingwood Municipal Court Judge, Alderman Dillard seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO SELECT A CITY ARBORIST TO PROVIDE OAK WILT AND TREE INSPECTION SERVICES ON CITY PROPERTIES, AND TO APPROVE A CONTRACT FOR ARBORIST SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE SUCH CONTRACT.

Mayor McKee **Tabled** the agenda item. There was no discussion.

DISCUSSION AND POSSIBLE ACTION TO REVIEW THE EXISTING ROLLINGWOOD INVESTMENT POLICY AND TO ADOPT A RESOLUTION TO CHANGE THE POLICY OR CONFIRM NO CHANGES WERE MADE TO THE POLICY.

Mayor McKee **Tabled** the agenda item. There was no discussion.

DISCUSSION AND POSSIBLE ACTION TO ADOPT A CAPITAL ASSET ACCOUNTING AND REPLACEMENT POLICY.

Alderman Basham moved to adopt a Capital Asset Accounting and Replacement Policy, Alderman Dillard seconded; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION CONCERNING THE ADOPTION OF A “HANDS FREE” ORDINANCE TO REGULATE THE USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES WHILE OPERATING A MOTORIZED VEHICLE OR BICYCLE.

After a brief discussion, the item was **Tabled** until the March meeting.

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED FLYER TO ROLLINGWOOD RESIDENTS CONTAINING RESIDENTIAL LIGHTING RECOMMENDATIONS.

Mayor McKee stated Laura Hirschfeld, Chair of the Planning and Zoning Commission would develop a flyer to present to the Planning and Zoning Commission in March. The item was **Tabled**.

DISCUSSION AND POSSIBLE ACTION TO ENSURE ALL ADDRESSES WITHIN THE CITY LIMITS REFLECT "ROLLINGWOOD" AS THE CITY LOCATION IN ORDER TO MAXIMIZE THE COLLECTION OF SALES TAXES BY THE CITY OF ROLLINGWOOD.

There was a brief discussion; the item would be brought back to the March council meeting.

UPDATE, DISCUSSION, AND POSSIBLE ACTION REGARDING CASE NO. D-1-GN-15-00515 BRAINARD v. CITY OF ROLLINGWOOD.

City Attorney Young stated this was not an action item; TML had authorized the filing of the appeal, and that the process was going forward. Mayor McKee added that the City had wanted TML to take it up on appeal and that was happening, and that was good news.

DISCUSSION AND POSSIBLE ACTION REGARDING THE EVALUATION, COMPENSATION, OR POTENTIAL DISCIPLINARY ACTION OF THE CITY ADMINISTRATOR CHARLES WINFIELD.

No action was taken on the agenda item.

10. EXECUTIVE SESSION(S)

10.01 EXECUTIVE SESSION - Pursuant to the Texas Gov't Code Section 551.071 - Consultation with Legal Counsel Regarding CASE NO. D-1-GN-15-00515 BRAINARD v. CITY OF ROLLINGWOOD.

There was no **Executive Session** called for this item.

10.02 EXECUTIVE SESSION - Mayor McKee called the meeting into Executive Session on 10.02 at 10.08 pm – Pursuant to the Texas Gov't Code Section 551.074 - Evaluation, Compensation, or Potential Disciplinary Action of the City Administrator Charles Winfield.

Mayor McKee called the meeting back into regular session at 11:12 pm, stating that NO action was taken during the Executive Session.

ADJOURNMENT

Mayor McKee called for adjournment; there was a motion and a second to adjourn. The meeting ended at 11:14 p.m.

Minutes adopted on the 6th day of March, 2017.

ATTEST:

Roxanne McKee, Mayor

Robyn Ryan, City Secretary